

REMARKS

Initially, Applicants would like to thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. §119, as well as certified copies of each of the priority documents upon which Applicants' claim for foreign priority is based.

Applicants would also like to thank the Examiner for acknowledging consideration of documents cited on a PTO-1449 form submitted with the Information Disclosure Statement on June 3, 2005. However, Applicants note that the Examiner did not place his initials next to the citation to U.S. Patent No. 4,904,903 to PACHOLOK.

Accordingly, with the next Official Action, Applicants respectfully request that the Examiner acknowledge consideration of U.S. Patent No. 4,904,903 to PACHOLOK by affixing his initials next to the citation to this document on the PTO-1449 form submitted with the Information Disclosure Statement on June 3, 2005. Applicants would further like to thank the Examiner for indicating the allowability of the subject matter recited in claims 3-5, 7-17 and 20-25, if amended to include all of the features of base and any intervening claims (as amended to overcome rejections under 35 U.S.C. §112, second paragraph).

In the outstanding Official Action, Figures 49-54 of the drawings were objected-to as lacking a designation such as "Prior Art". Claim 23 was objected-to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 1-25 were rejected under 35 U.S.C. §112, second paragraph, as indefinite. Claims 1, 2, 18 and 19 were rejected under 35 U.S.C. §103(a) over

Applicants' admitted prior art shown in Figures 49 and 50. Claim 6 was rejected under 35 U.S.C. §103(a) over Applicants' admitted prior art in view of BERNITZ et al. (U.S. Patent No. 5,739,644). Claims 3-5, 7-17 and 20-25 were objected-to as being dependent upon rejected claims, but were otherwise indicated as containing allowable subject matter if amended to include all of the features of base and any intervening claims, as amended to overcome the rejections under 35 U.S.C. §112, second paragraph.

Initially, Applicants note that claims have been amended to eliminate informalities therein. The herein-contained amendments should not be considered an indication of Applicants' acquiescence as to the propriety of the outstanding rejections and objections. Rather, Applicants have amended claims in the present application in order to advance prosecution of the present application and obtain early allowance of claims.

Upon entry of the present amendment, Replacement Figures 49-54 will have been presented. Each of Replacement Figures 49-54 has been labeled "Prior Art". In view of the attached Replacement Figures 49-54, Applicants respectfully request reconsideration and withdrawal of the outstanding objection to the Figures.

Claim 23 will have been amended to recite "wherein the compensator varies a capacitance value of the third capacitor corresponding to negative and positive phases of the AC current flowing in the conductor". The amendment to claim 23 is supported at, e.g., the description of the nineteenth embodiment as described at page 51, line 18

to page 53, line 8. In view of the amendment to claim 23, Applicants respectfully request reconsideration and withdrawal of the objection thereto.

Claim 1 will have been amended to recite "a series connection including at least an inductor and a high intensity discharge lamp connected between a connection point of the first switch and the second switch and another connection point of the first capacitor and the second capacitor". In view of the above-noted amendment to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Claim 1 will also have been amended to recite "a series connection of a first capacitor and a second capacitor which is connected in parallel with the series connection of the first switch and the second switch, each of the first capacitor and the second capacitor having two terminals, a voltage between both terminals of the first capacitor being selected to be different from a voltage between both terminals of the second capacitor so that the higher of the voltage between both terminals of the first capacitor and the voltage between both terminals of the second capacitor becomes at least equal to a voltage which is necessary for lighting the discharge lamp". The amendment to claim 1 is supported at, e.g., the paragraph bridging pages 13 and 14. Applicants respectfully submit that the claimed combination which includes the above-noted features is not obvious over Applicants' admitted prior art.

According to the combination recited in claim 1, the voltages between both terminals of the first capacitor and both terminals of the second capacitor can be

selected to be different from each other. For example, the values of the voltages can be selected to be different from each other by selecting capacitances of the capacitors to be different from each other. Further, as a specific numerical example, voltages can be set to 300 volts and 150 volts respectively by setting the ratios of the capacitors at 1:2.

As an example of the benefits of the combination recited in claim 1, the value of voltage V_{DL} applied to the discharge lamp DL can be increased without utilizing resonance of the inductor L1 and the capacitor C3. Therefore, no-load voltage can be easily applied to the discharge lamp DL in start up of lighting of the discharge lamp DL. Since the output voltage from the DC power source 1 is not increased in comparison with a conventional lighting apparatus, an increase in stress and element size are prevented. Furthermore, since a relatively high no-load voltage such as 300 volts can be applied to the discharge lamp DL while the discharge lamp DL has not been lighted, a transition from glow discharge to arc discharge after start up of lighting of the discharge lamp DL can be made smoothly. These benefits are possible with the features of amended claim 1, and particularly the selection of voltages so that "the higher of the voltage between both terminals of the first capacitor and the voltage between both terminals of the second capacitor becomes at least equal to a voltage which is necessary for lighting the discharge lamp".

Applicants submit that it would not be obvious to modify the admitted prior art to obtain the above-noted features, as there is no proper motivation to modify the admitted

prior art such that the above-noted features would result. In this regard the admitted prior art does not provide any motivation to achieve the above-noted benefits of the combination recited in amended claim 1, let alone with the features recited in amended claim 1. Accordingly, Applicants submit that the combination recited in amended claim 1 is not disclosed, suggested or rendered obvious by the admitted prior art.

Therefore, Applicants submit that claim 1 is allowable over the admitted prior art, at least for each and all of the reasons set forth above. Applicants further submit that each of claims 2-25 is allowable at least for depending, directly or indirectly, from an allowable independent claim 1 as well as for additional reasons related to their own recitations. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1, 2, 6, 18 and 19 under 35 U.S.C. §103(a), as well as the objections to each of the remaining dependent claims for depending from claims rejected under 35 U.S.C. §103(a).

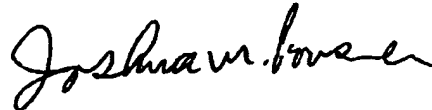
SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicants have amended the claims and pointed to features of the claims that are not disclosed, suggested or rendered obvious by the admitted prior art as applied in the Official Action. Accordingly, Applicants respectfully submit that a clear basis for the patentability of claims 1-25 has been established, and an indication to that effect is respectfully requested.

Any amendments to the claims made in this amendment, which have not been specifically noted as being made to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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June 23, 2006
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